

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Kila DEW

Case No.

2:22-mj-30276

Judge: Unassigned,

Filed: 06-14-2022 At 03:37 PM

SEALED MATTER (krc)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 2020 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 1343	Wire fraud
18 U.S.C. § 1028A	Aggravated identity theft

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: June 14, 2022

City and state: Detroit, MI


Complainant's signature

Special Agent Miguel A. Colon
Printed name and title


Judge's signature

Hon. Kimberly G. Altman, United States Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF A COMPLAINT

I, Miguel A. Colon, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent of the U.S. Department of Labor, Office of Inspector General, Office of Investigations - Labor Racketeering and Fraud (“DOL-OIG/OI-LRF”) and have been since December 2017. I am currently assigned to the Federal Bureau of Investigation (“FBI”) Violent Gang Task Force (“VGTF”), where I participate in investigations of street gangs committing various violations of federal law, including weapons and narcotics trafficking, violent crimes, and fraud. Prior to my current assignment, I was assigned to the Homeland Security Investigations’ Document and Benefit Fraud Task Force, where I investigated criminal activity including, but not limited to, identity theft, money laundering, visa fraud and other financial fraud. I have conducted numerous investigations involving identity theft, labor, financial and unemployment insurance fraud schemes. In addition to my experience, I have also received significant law enforcement training, including graduating from the Criminal Investigator Training Program at the Federal Law Enforcement Training Center.

2. As a Special Agent, I have conducted numerous investigations into criminal violations of both Title 29 and Title 18 of the United States Code. During this time, I have been either the lead agent or supporting agent on several investigations involving criminal schemes targeting the unemployment insurance (“UI”) program through the filing of false or fictitious UI claims. Based on my direct personal experience with these cases, I have become familiar with the methods that criminals use to attack and exploit the UI systems as well as the criminals’ reliance on the use of email and other internet or online tools and systems to facilitate that fraud.

3. Probable cause exists that **Kila DEW** has engaged in an unemployment insurance fraud scheme and has committed Wire Fraud (18 U.S.C. § 1343) and Aggravated Identity Theft (18 U.S.C. § 1028A). The scheme involved the filing of fraudulent UI claims through the internet, with some of those claims using misappropriated personal identifying information (“PII”) of real persons.

4. I make this affidavit based upon personal involvement in the subject criminal investigation, including review of: financial, employment, internet service provider, utility and property records; records from relevant state agencies regarding UI claims; law enforcement surveillance; and information and evidence from search warrants in this investigation. I have also been provided with information from other law enforcement agents and officials, including agents and

officials from the FBI and the State of Michigan's Fraud Investigation Unit. This affidavit does not contain all the facts developed to date in the underlying investigation and is being submitted for the limited purpose of establishing probable cause to secure a criminal complaint and arrest warrant.

UNEMPLOYMENT INSURANCE BACKGROUND

5. The Social Security Act of 1935 initiated the federal and state Unemployment Insurance system. The system provides benefits to individuals who are unemployed for reasons beyond their control. The purpose of the Unemployment Insurance system is twofold: first, to lessen the effects of unemployment through cash payments made directly to laid-off workers, and second, to ensure that life necessities are met on a weekly basis while the worker seeks employment. In the State of Michigan, the Unemployment Insurance system is administered by the Unemployment Insurance Agency ("MUIA"), which is part of the State of Michigan's Department of Labor and Economic Opportunity. In the State of Arizona, the UI system is administered by the Department of Economic Security ("DES"). In the State of California, the UI system is administered by the Economic Development Department ("EDD"). The U.S. Department of Labor funds many Unemployment Insurance Agency administrative costs, including salaries, office expenses, and computer equipment.

6. State unemployment systems and benefits are joint state and federal enterprises largely financed by taxes on private employers located in that state. In 2020 and 2021, the federal government provided significant supplemental benefits to the states as a result of the COVID-19 pandemic. Beginning in or about March 2020 and continuing through September 4, 2021, the Families First Coronavirus Response Act; Coronavirus Aid, Relief, and Economic Security Act; and the American Rescue Plan Act of 2021 created federal programs that allowed for the significant outlay of federal funds flowing to and through the states to offset the historic need for unemployment benefits by the American workforce, including in the states of Arizona, Michigan and in the Eastern District of Michigan. Collectively, these benefits are often referred to as Pandemic Unemployment Assistance (“PUA”).

7. Normally (in the absence of fraud), an unemployed worker initiates a UI claim. This can be accomplished by submitting a claim in person, over the telephone, or via the Internet. Currently, most UI claims in Michigan, California, Tennessee, and Arizona are filed online via the Internet through the respective state UI web portals. When a claimant using an internet protocol (“IP”) address registered in Michigan files a claim with an out-of-state UI agency, the servers used to process those claims are located outside the state of Michigan. For example, an Arizona UI claim filed from an IP address registered to a Michigan

residence will be processed through a server located outside of the state of Michigan.

8. To be eligible for UI benefits, the worker must demonstrate a certain level of earnings in several quarters immediately preceding the application. The amount of benefits that a UI claimant might be eligible for depends on a variety of factors, including but not limited to the length of his or her previous employment and the amount of wages he or she earned.

9. The MUIA, EDD or DES will either approve or reject a UI claim based on the application made by the unemployed worker. If the MUIA or DES approves a UI claim, the claimant is required to re-certify the claim via telephone or Internet at various times during the life of the claim. The worker must also certify that he or she is still unemployed and actively seeking work. One way in which unemployment benefits are provided to a claimant is with a debit card, issued by the Bank of America (“BOA”), which is mailed to the claimant through the U.S. Postal Service.

10. Alternatively, a claimant can provide the state Unemployment Insurance Agency with a bank routing number and bank account number so his or her UI benefits can be transferred via electronic funds transfers (“EFTs”) into his or her bank account. These EFTs originate from one or more accounts maintained by the state Unemployment Insurance Agency at Bank of America, N.A., which is

a subsidiary of Bank of America Corporation, a bank holding and financial holding company headquartered in Charlotte, North Carolina. All EFTs of UI benefits to Michigan or California UI claimants, whether via a BOA-provided debit card or via a claimant-provided bank account, involve the transmission of electronic signals through one of BOA's two data centers, which are located in Virginia and Colorado, and from those data centers to banks and/or ATMs located, for example, in Michigan. In addition, any other state that disperses UI benefits using BOA prepaid debit cards, including Arizona, also involve the transmission of electronic signals through the aforementioned BOA data centers. These are interstate wire communications.

PROBABLE CAUSE

11. The Federal Bureau of Investigation and the Bureau for Alcohol, Tobacco, and Firearms have been investigating criminal activity conducted by members and associates of the Detroit street gang, DWBI or "Don't Worry About It." As part of that investigation, I identified DWBI members, associates, and others who appeared to be engaged in unemployment insurance fraud schemes. Through this investigation, I have probable cause to believe that **Kila DEW** engaged in an unemployment insurance fraud scheme that has defrauded multiple states of thousands of federal dollars earmarked for Pandemic Unemployment Assistance.

12. I identified an IP address, 68.49.22.205 (“IP 205”), to be responsible for submitting approximately 109 UI claims in 109 unique individuals’ names and Social Security Numbers (“SSNs”). I know from my training and my experience in other UI fraud investigations that a large volume of claims from a single IP address with numerous unique individuals’ names and SSNs is indicative of fraudulent UI claims. Based on my experience in other UI fraud investigations, the number of UI claims and the number of unique individuals’ names and SSNs listed in those claims, all associated with this single IP address, i.e. 109 claims, constitutes a large volume of claims and unique individuals’ names and SSNs, which provides reason to believe the IP address was used to submit, access and/or modify fraudulent UI claims. To date, approximately \$468,291 in UI benefits has been disbursed on claims connected to IP 205.

13. Agents uncovered the 109 claims linked to IP 205 in part through searches of a DOL-OIG database that contains information related to UI applications and benefits paid. A search in that database for claims filed, accessed or modified using IP 205 indicated that IP 205 is associated with (*i.e.*, the IP address was used to file, access and/modify) UI claims in eight different states. The search results also indicated that the address X02X Greenview Ave, Detroit,

Michigan 48228 was listed as the account mailing address on at least seven of the 109 UI claims connected to IP 205.

14. Agents also learned from subscriber and billing records from Comcast that the service and billing address for IP 205 is X02X Greenview Ave., Detroit, Michigan, and the subscriber is Kila DEW with an account phone number of 313-XXX-6206.

15. Agents identified that DEW was living at X02X Greenview Ave, Detroit, MI 48228, from at least May 2, 2020 through October 9, 2020, which covers the period during which the 109 claims linked with IP 205 were submitted. As further detailed below, agents recovered text messages between DEW and coconspirators that discuss filing UI claims.

Fraud Indicators

16. Agents reviewed the email addresses, claimant phone numbers, bank accounts and IP addresses related to the UI claims associated with IP 205. Agents found numerous commonalities among the claims, which are strong indicators of fraud. For instance, phone number 313-XXX-1592, was used on 14 separate UI claims in the states of Michigan, Arizona, Guam, and Hawaii. A separate phone number, 313-XXX-7897 was used on five separate UI claims in the states of Michigan and Arizona. As previously stated, the claims were all filed under a single IP address. Bank accounts were also used multiple times between claims.

For instance, Green Dot bank account ending X-5128 was used in four of the 109 UI claims. A separate Axos bank account ending X-6937 was used in seven of the 109 UI claims in three different states.

17. Based on my training and my experience with fraud and identity theft schemes targeting state UI agencies, I know that the filing of 109 distinct claims from one IP address in less than one year, with claims within that population having repeat phone numbers and/or repeat bank accounts, are strong indicators of identity theft and an UI fraud scheme.

June 2021 Search of X02X Greenview Ave

18. On June 11, 2021, agents executed a federal search warrant at X02X Greenview Avenue in Detroit, Michigan (“DEW’s residence”). DEW and two others were present at the time of the search. Agents seized evidence of identity theft and UI fraud inside the house. For example, multiple debit cards corresponding to fraudulent UI claims were found in the house.

19. During the search, agents seized DEW’s cell phone and subsequently obtained and executed a search warrant on its contents. The search uncovered

additional evidence (some of which is described below) of her involvement in perpetrating UI fraud.

UI Fraud Associated with DEW

20. On May 2, 2020, a Michigan UI claim was filed in the name of “Kila A,” using IP 205. The SSN provided with the claim was that of Kila **DEW**. The email address provided with the claim was “kiladew22@gmail.com.” The phone number listed on the claim was **DEW**’s phone number ending in -6206.

21. A review of Kila **DEW**’s cell phone seized during the June 11 search warrant revealed that email account “kiladew22@gmail.com” was a registered user account on the device. Records provided by Google revealed that email account “kiladew22@gmail.com” was registered to Kila **DEW**. In addition, the phone number registered to the email account was **DEW**’s phone number ending in -6206.

22. On June 17, 2020, a fraudulent Arizona UI claim was filed in the name and SSN of Kila **DEW**, using IP 205. The email address provided with the UI claim was “kiladew22@gmail.com,” the same email address provided with her Michigan UI claim. The bank account established by the claimant for the deposit of UI benefits was Choice Bank account ending in x-1389. Records provided by Choice Bank stated that Kila **DEW** is the account holder for the bank account ending in x-1389. The address listed for the bank account was **DEW**’s residence.

23. Records provided by the Arizona DES indicated that the claim was later flagged as fraudulent by the DES due to false employment attestations. The DES records stated there was no history of employment by DEW in the state of Arizona.

24. On February 3, 2021, a fraudulent California UI claim was filed in the name and SSN of Kila **DEW** using an IP address other than IP 205. The address listed on the claim for the mailing of a BOA UI debit card was **DEW**'s residence. The email address listed on the claim was "kiladew22@gmail.com," the same email address provided with her Michigan and Arizona claims. The phone number provided with the claim was **DEW**'s phone number ending in -6206. A review of Kila **DEW**'s cell phone revealed an image of a confirmation from the EDD portal website for a successfully completed California UI application in the name of Kila **DEW**.

25. Agents reviewed state wage records associated with **DEW**, which revealed no employment history outside of the state of Michigan.

UI Account in B.A.'s Name

26. On October 9, 2020, a fraudulent Tennessee UI claim was filed in the name of B.A., a real person, using IP 205. The email addresses listed with the claim was B****A*****20@gmail.com (redacted for victim's privacy).

27. Agents found photographs of B.A.'s driver's license and social security card on **DEW**'s cell phone. Also found on **DEW**'s cell phone was a screenshot of a Google Account entry for the creation of an email account for "B****A*****20@gmail.com."

28. On December 21, 2021, I interviewed B.A., who stated s/he was a victim of identity theft. B.A. stated s/he did not file a UI claim in Tennessee, had not received any UI benefits, and did not give permission to anyone to file a UI claim on his/her behalf.

UI Account in R.H.'s Name

29. On July 8, 2020, a fraudulent Arizona UI claim was filed over the internet in the name of R.H, a real person, using IP 205.

30. On January 6, 2022, I interviewed victim R.H., who is a real person and who said s/he was a victim of identity theft. R.H. stated s/he did not file a UI claim outside of Michigan, had not received any UI benefits, and did not give permission to anyone to file a UI claim on his/her behalf.

31. A review of messages found on **DEW**'s cell phone revealed multiple conversations between DEW and telephone number 313-XXX-6248 related to UI fraud. On July 7, 2020, one day prior to the filing of R.H.'s Arizona UI claim, the user of phone number 313-XXX-6248 sent **DEW** a photo of R.H. driver's license and a photo of R.H.'s social security card.

UI Account in W.P.'s Name

32. On June 18, 2020, a fraudulent Arizona UI claim was filed in the name of W.P., a real person, using IP 205. The email address listed with the claim was W****P*****7@gmail.com (redacted for victim's privacy).

33. A photo of W.P.'s driver's license and social security card was found on DEW's cell phone. Also found on DEW's cell phone was a screenshot of a Google Account entry for the creation of an email account for W****P*****7@gmail.com.

UI Account in R.T.'s Name

34. A review of messages found on DEW's cell phone revealed multiple conversations between DEW and telephone number 313-XXX-8771 related to UI fraud. A law enforcement database revealed phone number 313-XXX-8771 belongs to A.H., a real person who I know to be a close associate of DEW.

35. On June 23, 2020, DEW sent phone number 313-XXX-8771 a text message containing the name, date of birth and SSN of R.T. On July 27, 2020, a California UI claim was filed in the name of R.T. The address on R.T.'s claim was the same address used to file multiple suspected fraudulent UI claims in A.H.'s name. Between June 13, 2020 and August 11, 2020, seven separate UI claims were filed in A.H.s name in seven different states. The phone number used on four of the seven UI claims was 313-XXX-8771.

36. On August 21, 2020, DEW and A.H. exchanged the following text messages:

DEW: Wassup sis you coming to the city today I need that card

-8771: What did u want off of it

DEW: 10

-8771: U told me n my sister when owed Danielle give 5 and 20 this was the one when I got my pa used u saud half of [R.T.] thru Cali

DEW: Right half off [R.T.] not [name redacted]

DEW: I told you 10 before you left and you said ok

-8771: That's not even half I never agreed to nothing like that u said 5 n this is from when I owed Danielle u don't remember telling me n Antoinette that when Aaliyah did mine that sounds crazy 10 out of 16 and they charging us to take it off

DEW: First off I'm not gone get my whole 10 because they gone charge me 3000 to take it off I told you before you left when you asked me outside in front of Aaliyah I wanted 10 and you said ok so what are you talking about

DEW: Bring me 8 and I'm straight

37. Based on my training and experience, I believe **DEW** and the -8771 number were negotiating the amount that each of them would collect in proceeds resulting from the filing of R.T.'s fraudulent UI claim. In my training and experience, individuals engaged in a UI fraud scheme together often split responsibilities such as recruiting conspirators, obtaining identities to use when

filing claims, filing claims, receiving ATM cards, and withdrawing funds. I also know that conspirators often split the proceeds of their scheme.

Additional Communications Found on **DEW**'s Cell Phone

38. The search of **DEW**'s cell phone revealed additional communications between **DEW** and others about filing fraudulent UI claims.

39. For example, on February 22, 2021, **DEW** and telephone number 909-XXX-2471 exchanged the following text messages:

-2471: Can you finish filling the fraud shit this the last paper
I gotta upload [T.W.] [T.W.'s SSN]

DEW: Ok

DEW: Did the Cali bitch move yet

-2471: Not yet she still there for bout a week

40. Between October 8, 2020 and March 13, 2021, three separate UI claims in the name of T.W. were filed in Tennessee, California, and Louisiana. The phone number on all three UI claims was 909-XXX-2471. I believe the individual associated with telephone number 909-XXX-2471 was instructing **DEW** to file fraudulent claims in T.W.'s name.

41. Additionally, on July 26, 2020, **DEW** exchanged the following messages with Conspirator #1, a real person whose identity I know, which I believe relate to filing UI claims in California and Ohio:

Conspirator #1: Is the Cali site down it's not popping up

Conspirator #1: How you do Ohio

Conspirator #1: I's the same as the other shit

DEW: Yes

DEW: I'm on here

Conspirator #1: It hung up

42. On December 3, 2020, **DEW** and Conspirator #1 exchanged the following messages:

DEW: Don't tell nobody about Indiana

Conspirator #1: Ok i ain't

Conspirator #1: Telling nobody shit

Conspirator #1: You got the link to it

DEW: Yup hold on

Conspirator #1: Ok

DEW: <https://uplink.in.gov/CSS/CSSLogon.htm>

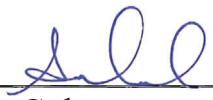
43. The link **DEW** sent to Conspirator #1 is a link to the web portal for the Indiana Department Workforce Development, which is the agency for the

Indiana UI program. I believe **DEW** was encouraging Conspirator #1 to file fraudulent UI claims in the state of Indiana.

CONCLUSION

44. Based on the forgoing, there is probable cause to believe that **Kila DEW** has committed Wire Fraud (18 U.S.C. § 1343) and Aggravated Identity Theft (18 U.S.C §1028A) in connection with a scheme to defraud the federal/state unemployment insurance program and obtain unemployment benefits by means of false and fraudulent pretenses and representations.


Respectfully submitted,



Miguel A. Colon
Special Agent
U.S. Department of Labor
Office of Inspector General

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: June 14, 2022



Kimberly G. Altman
United States Magistrate Judge